Application No. 10/788,479
Filed: March 1, 2004
TC Art Unit: 2619
Confirmation No.: 7564

REMARKS

In response to the Office Action mailed March 25, 2008, Applicant respectfully requests reconsideration.

Claims 1-8 have been examined. By this Amendment, Applicant is amending claims 1, 2, 5 and 6 and adding new claims 9-13. As a result, claims 1-13 are pending in the present application, with claims 1, 5 and 9 being independent claims. Applicant respectfully submits that no new matter has been added in the amendments to claims, or in the new claims; support for the new claims is provided throughout the application, including at least paragraphs 32-40 as found on page 6, line 13 - page 8, line 30.

In the Claims

Applicant has amended claims and added new claims herein solely to expedite prosecution of this application. In doing so, Applicant does not dedicate the subject matter of the amended claims, as previously pending, to the public, and does not acquiesce to the Examiner's reason(s) offered in support of the rejections of the amended claims or any claim(s) that depend therefrom. Applicant also reserves the right to seek patent protection for claims similar or identical to the amended claims, as previously pending, in one or more subsequently filed, related applications.

Rejections Under 35 U.S.C. § 103

Claims 1-8 stand rejected under Section 103(a) as being unpatentable over U.S. Patent No. 5,708,778 to Monot ("Monot"), in view of U.S. Publication 2004/0186689 to Chu ("Chu"). Applicant respectfully traverses this rejection.

Monot has been cited previously by the Examiner and is directed, generally, to automatically configuring parameters for operation of terminal equipment coupled to carrier equipment in a network. (Abstract). As an overview, and in accordance with Monot, a series of probe signals are directed from the terminal equipment to the carrier equipment. In response to the received probe signals, the carrier equipment replies with a value for the parameters for which the probe signal was related. Once the necessary parameter values have been obtained, the terminal device is configured accordingly and commences communication with the carrier equipment.

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Independent claim 1, as amended, is directed to a method of "configuring a local LAPB device in accordance with a remote LAPB device," comprising "providing a received frame from said remote LAPB device." Further, when the "received frame indicates that said remote LAPB device comprises a data terminal equipment device," then "configuring said local LAPB device as a data computing equipment device; and when said received frame indicates that said remote LAPB device comprises a data computing equipment device, configuring said local LAPB device as a data terminal equipment device."

The Examiner asserts that Monot teaches a method for configuring a local LAPB device in accordance with a remote LAPB device, providing a received frame from the remote LAPB device and "automatically configuring the DTE parameters from the answer frame received from the DCT." (Office Action, p. 2, section 2, fourth paragraph).

Applicant respectfully disagrees with the Examiner's characterization of claim 1, as it does not take note of the configuring of the local LAPB device with respect to the determined type of device for the remote LAPB device, i.e., configuring the local device as a DTE device when a remote DCE is detected, and vice versa.

The Examiner further asserts (Office Action, p. 2, last paragraph) that:

> Monot indicates that the invention is also for automatically configuring similar network devices in addition to data terminals (col. 1, lines 52-53), wherein the "similar network devices" can be interpreted as a DCE as the term "network equipment device" refers to DCE in the reference (col. 2, line 18).

Applicant respectfully disagrees with the Examiner's characterization of Monot as teaching that both terminal and carrier computing equipment devices are being configured, and submits that the reference to "similar network devices" in Monot pertains only to "data terminals." Applicant respectfully directs the Examiner's attention to Monot, Column 2, lines 11-18, where it is stated:

> First, the computer implemented method is capable of constructing for each parameter at least one probe that is to be sent from a terminal equipment device to a network equipment device to which it is communicatively coupled. The probe is based on the initial set of potential values for the parameter, any prior probes for the parameter, [and] any answers received from the network equipment device in response to the any prior probes. (Emphasis added).

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Applicant submits that a fair reading of Monot does not give rise to either an inference that "data terminals," "similar network devices," and a "network equipment device" interchangeably refer to DTE and DCE devices, or that Monot teaches that network devices and carrier devices are being configured. In one instance, Monot refers to "similar network devices," and a reasonable reading would equate these with data terminals or DTE devices. Subsequently, Monot refers to a "network equipment device" (emphasis added) to which a terminal equipment device is communicatively coupled and to which the terminal equipment device has sent a probe message. Applicant submits that one of ordinary skill in the art would reasonably interpret Monot's use of a "network equipment device" as referring to only a DCE device.

Further, Monot recites that "the computer implemented method is adapted to send the probe from the terminal equipment device to the network equipment device, and receive answers to the probe from the network equipment device." (Column 2, lines 20-24).

Based at least on the foregoing, Applicant respectfully submits that Monot teaches the configuration of a data terminal equipment device and does not teach or suggest the configuration of any other type of device, e.g., a DCE device.

The Examiner acknowledges that "Monot does not specifically teach that a device can be automatically configured as DTE or DCE depending on whether the device connected is DCE or DTE." (Office Action, page 3, first paragraph). The Examiner submits, however, that:

> Chu teaches that a device can auto-detect whether the device connected at the other end is DCE or DTE and auto-configure the device it self [sic] as DTE or DCE to interface with the other end properly (Fig. 3, col. 3, lines 6-10 and 66-67 through col. 4 line 3).
>
> Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine teachings from Chu into the Monot invention to automatically configure a device's mode of operation, DTE or DCE, to communicate properly with the device connected.
> (Office action, page 3, second paragraph)

Chu is directed to a method of detecting whether a DTE device or a DCE device is connected through an RS232 port. (Abstract). Referring now to Chu, Fig. 1, a network device 10

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includes a serial port 12 that can be coupled to either a DTE device such as a console or a DCE device such as a modem. (Column 3, lines 11-25). In operation, when a cable is connected to the port 12 an auto-detection procedure is implemented to determine what type of device is connected. If a DTE device is detected as being connected through the serial port 12, then routines for interfacing the device 10 with the console or terminal are executed, however, if a DCE device is detected as being connected through the serial port 12, then the routines for interfacing with the modem are executed. (Column 3, line 63 - column 4, line 4).

Applicant respectfully disagrees with the Examiner's characterization of Chu. As above, Chu teaches that the device 10 will be configured to interface with either a modem or terminal depending on the type of device that is detected. Further, Chu teaches that "when utilized in a routing platform the logic automatically launches the correct software required to support either a console (DTE) or modem (DCE) connection." (Column 3, lines 7-10).

Contrary to the Examiner's position, the Applicant has located no teaching or suggestion in Chu that a local device is configured as a DTE device when a DCE device is determined to be remotely connected or, conversely, that the local device is configured to be a DCE device when the remote device is determined to be a DTE device, as is recited in independent claim 1. Chu discloses that the device 10 is configured to "interface" according to a determination as to what type of device is connected at the port 12. (Col. 3, line 63 - col. 4, line 4). There seems to be no apparent basis for ascribing to Chu the teaching that a detected DTE device at port 12 mandates that the device be configured as a DCE, or vice versa. It is known that two DCE devices can communicate with each other, as even taught by Monot at Col. 1, lines 30 - 34, and Figure 1, reproduced here:
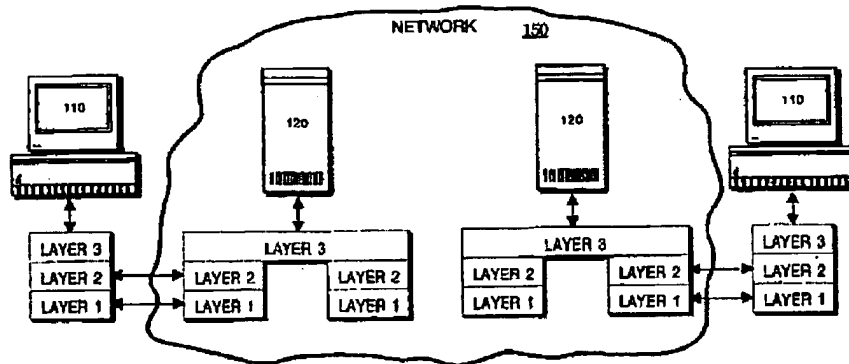
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FIGURE 1

For at least the reasons that Monot does not teach configuring DCE devices and Chu does not teach the configuration of a local device as a DCE device when a remote DTE device is detected, and configuring the local device as a DTE device when a remote DCE device is detected, Applicant respectfully submits that the combination of Monot and Chu does not render obvious that which is recited in independent claim 1 as amended. Accordingly, Applicant respectfully submits that independent claim 1 and its dependent claims 2-4 are allowable over the cited combination of references.

Independent claim 5, as amended, is directed to an apparatus for "configuring a local LAPB device in accordance with a remote LAPB device." The apparatus comprises: "a communication port for receiving a data signal originating from said remote LAPB device and for providing at least one part of said received data signal; a memory for storing data identifying at least one of a data computing equipment device and a data terminal equipment device; and a processing unit for receiving said at least one part of said received data signal, determining whether said at least one part of said received data signal is indicative of one of a data computing equipment device and a data terminal equipment device using said data stored in said memory and providing a configuration signal to said local LAPB device." Further, "said configuration signal will configure said local LAPB device as a data computing equipment device in the case where the at least one part of the received data signal is indicative of a data terminal equipment device and further wherein said

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configuration signal will configure said local LAPB device as a data terminal equipment device in the case where the at least one part of the received data signal is indicative of a data computing equipment device."

For at least the reasons discussed above with respect to independent claim 1, Applicant submits that independent claim 5, as amended, is also allowable over the cited combination of Monot in view of Chu.

As claims 6-8 depend from independent claim 5 and thus include the features thereof, Applicant further submits that these claims are also allowable over the cited combination of references as well.

New claim 9 recites a method of "configuring a first device coupled to a second device in a network of devices." The method comprises: "receiving a first signal from the second device;" and "evaluating the received first signal to determine if the second device is one of a first type or a second type of device." Further, "if the second device is of the first type, configuring the first device as the second type of device; and if the second device is of the second type, configuring the first device as the first type of device."

Applicant respectfully submits that new independent claim 9 and its dependent claims 10-13 are allowable over the cited combination of references, and the other art of record.

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The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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